

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**NATIVIDAD FLORES**

**Plaintiff,**

**V.**

**HARRIS COUNTY, SHERIFF ED**

**GONZALEZ, AND OFFICER**

**HOPKINS**

**Defendants**

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**CIVIL ACTION NO. 4:20-CV-03162**

**JURY DEMAND**

**PLAINTIFF'S FIRST DESIGNATION OF EXPERT WITNESSES**

**TO THE HONORABLE JUDGE VANESSA GILMORE**

\_\_\_\_ Plaintiff, Natividad Flores files this his First Designation of Experts identifying all experts he intends to provide testimony in the case:

**Non-Retained Experts**

U.A. Lewis is an attorney licensed in the State of Texas and will provide expert testimony regarding reasonable and necessary attorney's fees and litigation costs in this action, both on behalf of Plaintiff, Natividad Flores, and in opposition to any attorney's fees claimed by Defendant. U.A. Lewis' qualifications are more fully outlined in the attached Exhibit A. U.A. Lewis has practiced at the trial and appellate levels in state and federal courts since beginning her practice more than ten years ago. She has practiced in

Harris County for more than ten years. She is familiar with the attorney's fees customarily charged in Harris County, Texas for litigation matters such as the instant case, claims under 42 U.S.C. Sec. 1983. By virtue of her education, training, and experience,

U.A. Lewis is qualified to testify as to the reasonable and necessary attorney's fees incurred by Shaun Lee in bringing claims, as well as in opposition to Defendant's claim for reasonable and necessary attorney's fees under 42 U.S.C. Sec 1988, et seq.

U.A. Lewis will also testify with regard to the "lodestar" method, or other acceptable methods including but not limited to the calculation of an appropriate hourly rate, the market rate in the community for this work, and the relative weights of the twelve factors set forth in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974).

**Non-Retained Medical experts.**

1. Mike Yuan, M.D., Ph.D. Neurologist 9440 Bellaire Blvd, Suite 206 Houston, TX 77036 1065 Gessner Suite 202 Houston TX 77055
2. Chris Wright, M.D. Radiologist/Neuroradiologist Woodlake MRI & Diagnostic Imaging 1065 Gessner Road, Houston, Texas 77055 (713)465-6500
3. Sandra L. Kloeber, FNP Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002
4. Memunat O. Sanya, LVN Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002

5. Mary F. Thomas, LVN Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002 JA09 Medical Clinic
6. Marthe G. Ngemhe, RN Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002 JA09 Medical Clinic
7. Trina Campbell, LVN Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002 JA09 Medical Clinic
8. Dora Toussaint, MA Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002 JA07 Medical Clinic
9. Beena B. George, NP Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002 JA07 Medical Clinic
10. Francisca N. Okororie, LVN Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002
11. Dr. Locket Harris County Sheriff's Office Health Services 1200 Baker St. Houston, Texas 77002
12. Dr. Maurice Guice
13. Rose, Johnnie, St. Joseph Medical Center Emergency Department, 1401 St. Joseph Pkwy, Houston, Texas 77002 (713-757-1000).

**Subject Matters of Non-Retained Medical expert.**

The subject matters on which said non-retained non-controlled Medical experts will testify are as follows:

the existence, nature, and extent of the mental injuries sustained by Flores;

the examination and treatment of the injuries sustained by Flores;

pre-existing injuries to and pre-existing medical conditions relating to Flores seizure disorder;

the type, purpose, extent, results, evaluations, and interpretations of examinations, treatments, and tests regarding Flores;

recommendations, diagnosis, and prognosis with regard to the injuries of Flores;

the existence, nature, and extent of the disabilities and incapacities of Flores, in the past, and the reasonable probability and extent of the disabilities and incapacities which Flores may suffer from in the future;

the cause and causes of Flores's conditions, injuries, disabilities, and incapacities;

medical care and treatment and medications that Flores has required in the past for the treatment of the injuries allegedly sustained by him and for rehabilitation from such injuries.

medical care and treatment and medications that will be required by Flores in the future, if any, for the treatment of the injuries allegedly sustained by him in the subject incident and for rehabilitation of such injuries;

the reasonableness and the necessity of the medical services and medical care and medications rendered to Flores in the past and Flores will in reasonable probability receive in the future, for the injuries sustained by him in the subject incident;

all those subject matters contained, discussed, or disclosed in

The medical records produced or will supplement and produce.

All medical records affidavits and medical billing affidavits have been filed and may hereafter be filed in this cause and all exhibits thereto.

The depositions on written questions of Flores's health care providers which have been taken and which may hereafter be taken in this cause, and all exhibits thereto; and

all written reports of healthcare providers produced during the course of discovery in this cause. All of which documents are incorporated herein by reference as though set out at length for all purposes.

### **Impressions and Opinions of Non-Retained Medical Experts.**

The general substance of said non-retained / non-controlled medical experts' mental impressions and opinions are expected to be, and a summary of the basis therefor, as follows:

the nature, extent, and severity of Flores's injuries, incapacities, and disabilities alleged;

Flores's injuries are a result in whole or in part of the injuries received by Flores and made the subject of this suit;

the medical care and treatment rendered to Flores were reasonable and necessary;

the subject incident did, based on reasonable medical probability, cause of the aggravated complaints, disabilities, injuries, and incapacities of Flores,

that a health treatment of Flores was necessitated and proximately caused by the incident made the subject of this lawsuit;

that medical expenses of Flores were necessitated by the subject incident made the subject of this lawsuit; and all other impressions and opinions that are contained, discussed, or disclosed in:

The medical records of Flores which have been and which may hereafter be produced in this cause;

the medical records affidavits and medical billing affidavits which have been served and which may hereafter be filed in this cause, and all exhibits thereto;

the depositions on written questions of Flores's health care providers which have been taken and which may hereafter be taken in this cause, and all exhibits thereto; and

all written reports of healthcare providers produced during the course of this lawsuit. All of which documents are incorporated herein by reference as though set out at length for all purposes.

**Brief Summary of Basis For impressions And Opinions.**

The basis for the preceding impressions and opinions of the above named and designated expert witnesses are all of the facts shown by and contained in:

Any of the medical records of Flores produced in this cause

Any depositions are taken and hereafter taken in this cause, either by written questions orally and all exhibits thereto;

The expert reports hereinabove expressly referred to;

Any witness statements which may be produced in this cause;

Any of the photographs and videotape recordings produced in this cause;

The response to Initial Disclosures,

Responses to Request for Production,

Answers to Interrogatories, and

any Amendments and Supplements thereto which have been filed or may be filed by each of the parties to this lawsuit;

The Pleadings on file in this cause;

All documents and tangible things produced in this cause; All of which records, reports, documents, depositions, photographs, and videotape recordings are incorporated herein by reference and made a part hereof for all purposes as if set out at length herein. Flores reserves the right to call and cross-examine any non retained experts or expert witnesses designated by the defendant.

### **Cross Designation**

Flores hereby cross-designates and states that it may call any expert witness identified or designated by an adverse party or any employee or representative of an adverse party,

subject to any objections Flores may make concerning the designation of those expert witnesses.

Flores reserves the right to elicit, through cross-examination, opinion testimony from experts designated and called by other parties to the suit. Flores may also call, as a witness associated with other parties, any expert witness of any party who may be added to this lawsuit.

Flores reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness to trial and to redesignate same as a consulting expert, who cannot be called by opposing counsel.

Flores reserves the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the jury to determine material issues of fact, which would not violate any existing court order, the Federal Rules of Civil Procedure or Texas Rules of Civil Procedure. Accordingly, Flores hereby designates, as adverse parties, potentially adverse parties, and as witnesses associated with adverse parties, all parties to this suit and all experts designated by any party to this suit, even if the designating party is not a party to the suit at the time of trial.

In the event that present or future parties designate an expert but are subsequently dismissed for any reason from the suit or fails to call any designated expert, Flores reserves the right to designate and call any such party or any party previously designates any such expert.



Flores reserves whatever additional rights it may have with regard to experts, including leave to designate additional experts or supplement experts pursuant to the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Texas Rules of Civil Procedure, the Texas Rules of Civil Evidence, the case law construing same, and the rulings of the trial court.

Respectfully submitted,

THE LEWIS LAW GROUP PLLC.

By: U. A. Lewis

U. A. Lewis

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LEAD COUNSEL FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing has been served upon the opposing counsel by ECF and that a copy has been forwarded to all counsel of record in this cause on the 20th day of September 2021.

/s/ U.A.Lewis

U.A. Lewis



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Originally from San Diego, California, U.A. Lewis has made Houston her home for the past decade, with her husband; and her 30yr old daughter and 4yr old grandson nearby in Katy, TX. U.A. Lewis is currently the managing member Lewis Law Group, PLLC, Houston, TX Managing Member, November 2011 – Present

She is admitted to practice in Texas by the Texas State Bar, Southern Federal District courts, Western Federal District courts, as well as the Fifth Circuit Court of Appeals.

In her ten years of practice, U.A. Lewis has historically focused on Civil Rights, Breach of Contract, Personal Injury, Real Estate, Medical Malpractice, and Wrongful Death actions, as well as the defense of those criminally accused.

U.A. Lewis earned her J.D. from Texas Southern University, Thurgood Marshall School of Law, she also earned her undergraduate degree in marketing and general business from Texas Southern University.

#### Recent Representative Cases

- Trial-30 jury trials

Representation number of plaintiffs in Personal injury cases in matters of death and personal injury, including medical malpractice and premises liability cases ranging from slip and fall accidents to inadequate security claims litigation. - Ongoing representation in numerous Civil Rights 42 USC 1983 Claims, Fourth Amendment Violations, Eight Amendment Violations, Fourteenth Amendment Violations, and ADA Claims.

- Representation of Plaintiffs in Breach of contract, Breach of Fiduciary Duty, Fraud, and Consumer Cases.

- Representation of Defendants in property eviction suits, Property code violation suits, retaliation, and wrongful eviction suits, primarily pro-bono.

- Representation of defendants in criminal cases ranging from Misdemeanors to First Degree Felonies.

- Federal Appeal Cases Appellate counsel in Breach of Contract, Bad Faith Claim, Breach of Fiduciary Duty Claim.

Appeal co-counsel in civil Rights 42 USC 1983 Claim.

#### Professional Associations

State Bar of Texas State Bar College since 2011

Texas State Bar College Steven Condos Award Winner 2011

Earl B Gilliam Bar Association

Houston Lawyers Association Houston

Trial Lawyers Association Texas Trial Lawyers Association

Gerry Spence Trial College Member

National Bar Association

Respectfully Submitted

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